

Senate Bill 419

By: Senators Unterman of the 45th, Johnson of the 1st, Stephens of the 51st, Balfour of the 9th and Lee of the 29th

AS PASSED SENATE

**A BILL TO BE ENTITLED
AN ACT**

1 To amend Article 1 of Chapter 14 of Title 17 of the Official Code of Georgia Annotated,
2 relating to restitution, so as to provide that persons convicted of crimes involving physical
3 or emotional injury to their victims shall pay the medical costs of their victims including
4 psychological counseling; to provide for hearings; to provide for certain exceptions; to
5 provide for related matters; to repeal conflicting laws; and for other purposes.

6 **BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:**

7 **SECTION 1.**

8 Article 1 of Chapter 14 of Title 17 of the Official Code of Georgia Annotated, relating to
9 restitution, is amended by adding a new Code Section 17-14-10.1 to read as follows:

10 "17-14-10.1.

11 A person convicted of a crime which resulted in physical or emotional injury to the victim
12 shall be ordered to pay restitution to the victim for all reasonable and necessary medical
13 expenses incurred by the victim and which reasonably will be incurred by the victim for
14 treatment of the physical and emotional injuries caused by the person in perpetrating the
15 crime against the victim, including expenses related to psychological counseling and
16 treatment by a provider licensed pursuant to Title 43. The court shall hold a hearing to
17 determine the amount of such expenses as required by law. This Code section shall not
18 apply to misdemeanor traffic offenses, except those serious traffic offenses in Article 15
19 of Chapter 6 of Title 40. With regard to convictions for such misdemeanor traffic offenses,
20 except those serious traffic offenses in Article 15 of Chapter 6 of Title 40, the sentencing
21 court may, in its discretion, consider restitution under this Code section as a part of any
22 sentence imposed, but shall not be required to do so. "

23 **SECTION 2.**

24 All laws and parts of laws in conflict with this Act are repealed.